

A U S T I N C I T Y C O U N C I L

# AGENDA



Thursday, September 28, 2006

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**Zoning Ordinances / Restrictive Covenants**  
**(HEARINGS CLOSED)**  
**RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 88

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**Subject:** C14-06-0115 - Jenkins 20/21 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4208 Manchaca Road (West Bouldin Creek Watershed) from neighborhood commercial (LR) district zoning and family residence (SF-3) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. First reading approved on July 27, 2006. Vote: 7-0. Applicant: Robert Jenkins. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.

**Additional Backup Material**  
 (click to open)

- Staff Report
- Ordinance

**For More Information:**

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0115 Jenkins 20/21

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4208 Manchaca Road (West Bouldin Creek Watershed) from neighborhood commercial (LR) district and family residence (SF-3) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning.

DEPARTMENT COMMENTS:

The property is 0.9 acre site currently being used as a florist. The request is from LR and SF-3 to LR-MU-CO to allow for redevelopment of the site as a mixed use retail site with a residential component. The conditional overlay would limit total vehicle trips to no more than 2000 per day.

APPLICANT/AGENT: Jim Bennett

OWNER: Robert Jenkins

DATE OF FIRST READING: 7/27/06 Approved staff's recommendation of LR-MU-CO on first reading. (7-0 vote).

PLANNING COMMISSION ACTION: 6/13/06 Approved staff's recommendation of LR-MU-CO by consent (*Vote 7-0*).

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 4208 MANCHACA ROAD FROM NEIGHBORHOOD  
3 COMMERCIAL (LR) DISTRICT AND FAMILY RESIDENCE (SF-3) DISTRICT  
4 TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY  
5 (LR-MU-CO) COMBINING DISTRICT.  
6  
7

8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
9

10 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to  
11 change the base district from neighborhood commercial (LR) district and family residence  
12 (SF-3) district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO)  
13 combining district on the property described in Zoning Case No. C14-06-0115, on file at  
14 the Neighborhood Planning and Zoning Department, as follows:  
15

16 A portion of Lot 21 and all of Lot 20, E.A. Sims Subdivision, a subdivision in the  
17 City of Austin, Travis County, Texas; the property being more particularly  
18 described in Document 2003099509 on record in the Official Public Records of  
19 Travis County, Texas,  
20

21 locally known as 4208 Manchaca Road in the City of Austin, Travis County, Texas, and  
22 generally identified in the map attached as Exhibit "A".  
23

24 PART 2. The Property within the boundaries of the conditional overlay combining district  
25 established by this ordinance is subject to the following conditions:  
26

27 A site plan or building permit for the Property may not be approved, released, or issued, if  
28 the completed development or uses of the Property, considered cumulatively with all  
29 existing or previously authorized development and uses, generate traffic that exceeds 2,000  
30 trips per day.  
31

32 Except as specifically restricted under this ordinance, the Property may be developed and  
33 used in accordance with the regulations established for the neighborhood commercial (LR)  
34 base district and other applicable requirements of the City Code.  
35

36 PART 3. This ordinance takes effect on \_\_\_\_\_, 2006.  
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**PASSED AND APPROVED**

\_\_\_\_\_, 2006

§  
§  
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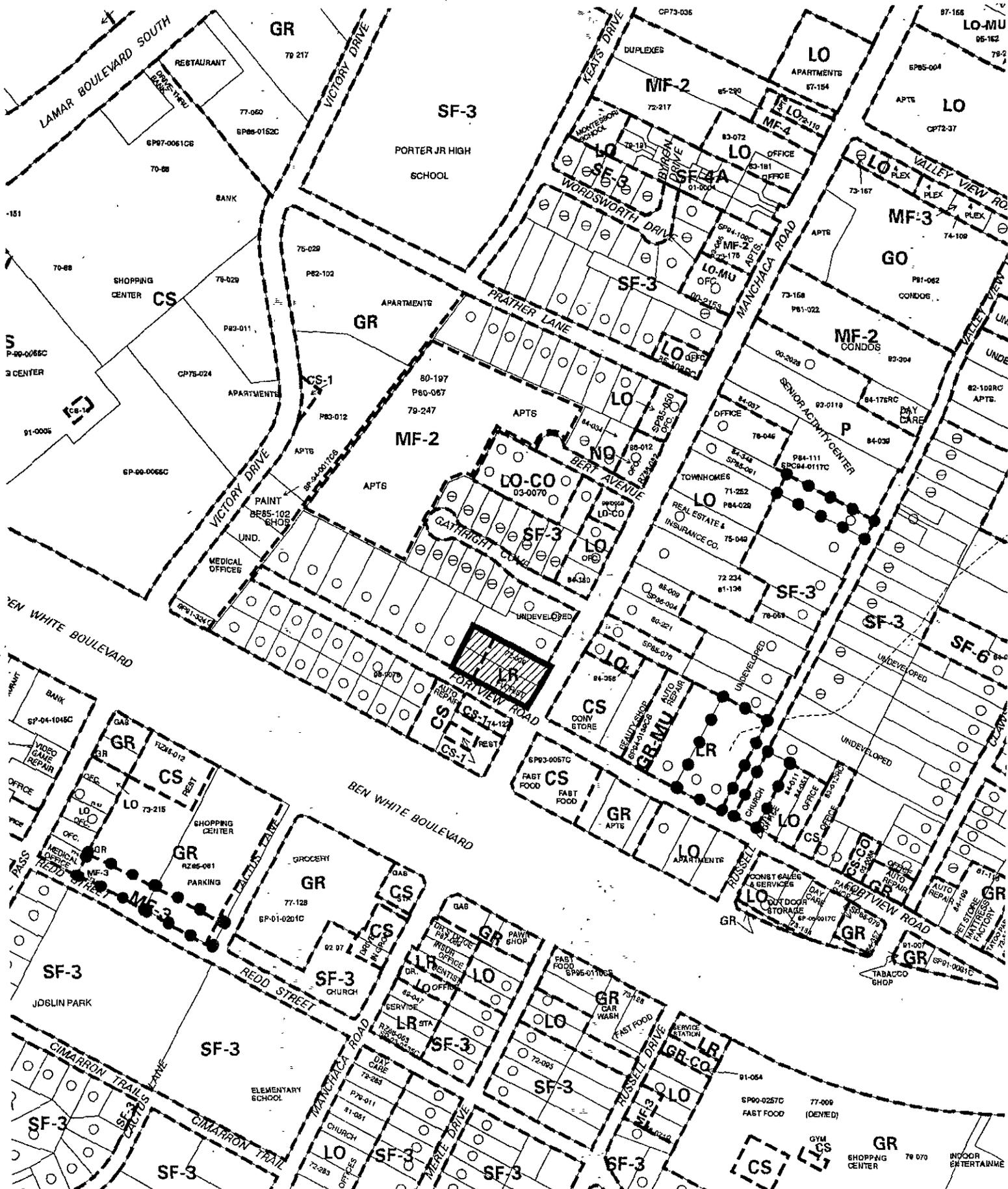
\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_

David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk



<p>1" = 400'</p>	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: R.HEIL</p>	<p><b>ZONING Exhibit A</b></p> <p><b>CITY GRID REFERENCE NUMBER</b></p> <p>G19</p>
	<p>CASE #: C14-06-0115</p> <p>ADDRESS: 4208 MANCHACA RD</p> <p>SUBJECT AREA (acres): 0.895</p>	<p>DATE: 06-05</p> <p>INTLS: SM</p>

**ZONING CHANGE REVIEW SHEET****CASE:** C14-06-0115 Jenkins 20/21**PC Date:** June 27, 2006**ADDRESS:** 4208 Manchaca Road**OWNER/APPLICANT:** Robert Jenkins**AGENT:** Jim Bennett**ZONING FROM:** LR and SF-3**TO:** LR-MU-CO**AREA:** 0.895 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the request of neighborhood commercial-mixed used-conditional overlay (LR-MU-CO) combining district zoning. The conditional overlay would limit total vehicle trips to no more than 2000 per day.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**June 27, 2006:** Approved staff's recommendation of LR-MU-CO on consent (7-0)

**DEPARTMENT COMMENTS:**

The property is 0.9 acre site currently being used as a florist. The request is from LR and SF-3 to LR-MU-CO to allow for redevelopment of the site as a mixed use retail site with a residential component. The conditional overlay would limit total vehicle trips to no more than 2000 per day.

The property lies within the South Lamar Neighborhood Planning Area which began work on its plan in October.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LR and SF-3	Flower Market
<i>North</i>	SF-3	Single Family House
<i>South</i>	CS and CS-1	Auto Repair and Restaurant
<i>East</i>	CS	Convenience Store
<i>West</i>	SF-3	Single Family Homes

**AREA STUDY:** The property lies within the South Lamar Neighborhood Planning Area, currently underway. The request is consistent with the proposed draft future land use plan for this area.

**TIA:** A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

**WATERSHED:** West Bouldin Creek. The site appears to be located in the West Bouldin Creek Watershed, however, a geological study of the watershed boundaries may be required in order to verify that this site does not actually lie in the Williamson Creek Watershed.

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No      **HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- South Lamar Neighborhood Assn.
- Barton Springs/ Edwards Aquifer Conservation Dist.
- South Central Coalition
- Austin Neighborhoods Council
- Austin Independent School District

**SCHOOLS: (AISD)**

Joslin Elementary School      Porter Middle School      Crockett High School

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike
Manchaca Road	70'	50'	Arterial	Yes	Yes	Priority 2
Fortview Road	54'	26'	Local	Yes	No	No

**CITY COUNCIL DATE:      ACTION:**

July 27, 2006

The first reading of the ordinance for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved on consent

September 28, 2006:

**ORDINANCE READINGS:**

1<sup>st</sup> 7/27/06

2<sup>nd</sup>

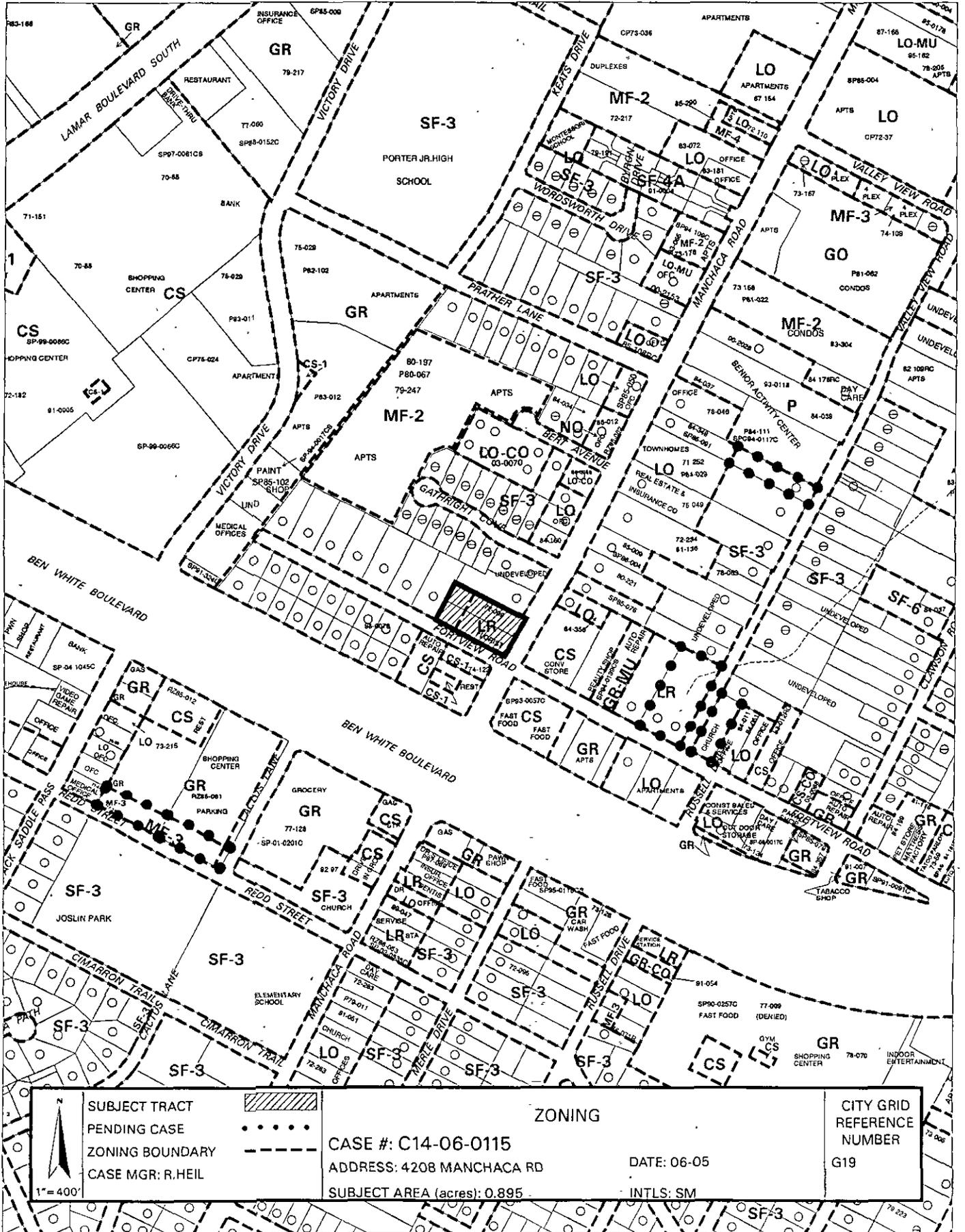
3<sup>rd</sup>

C14-06-0115

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

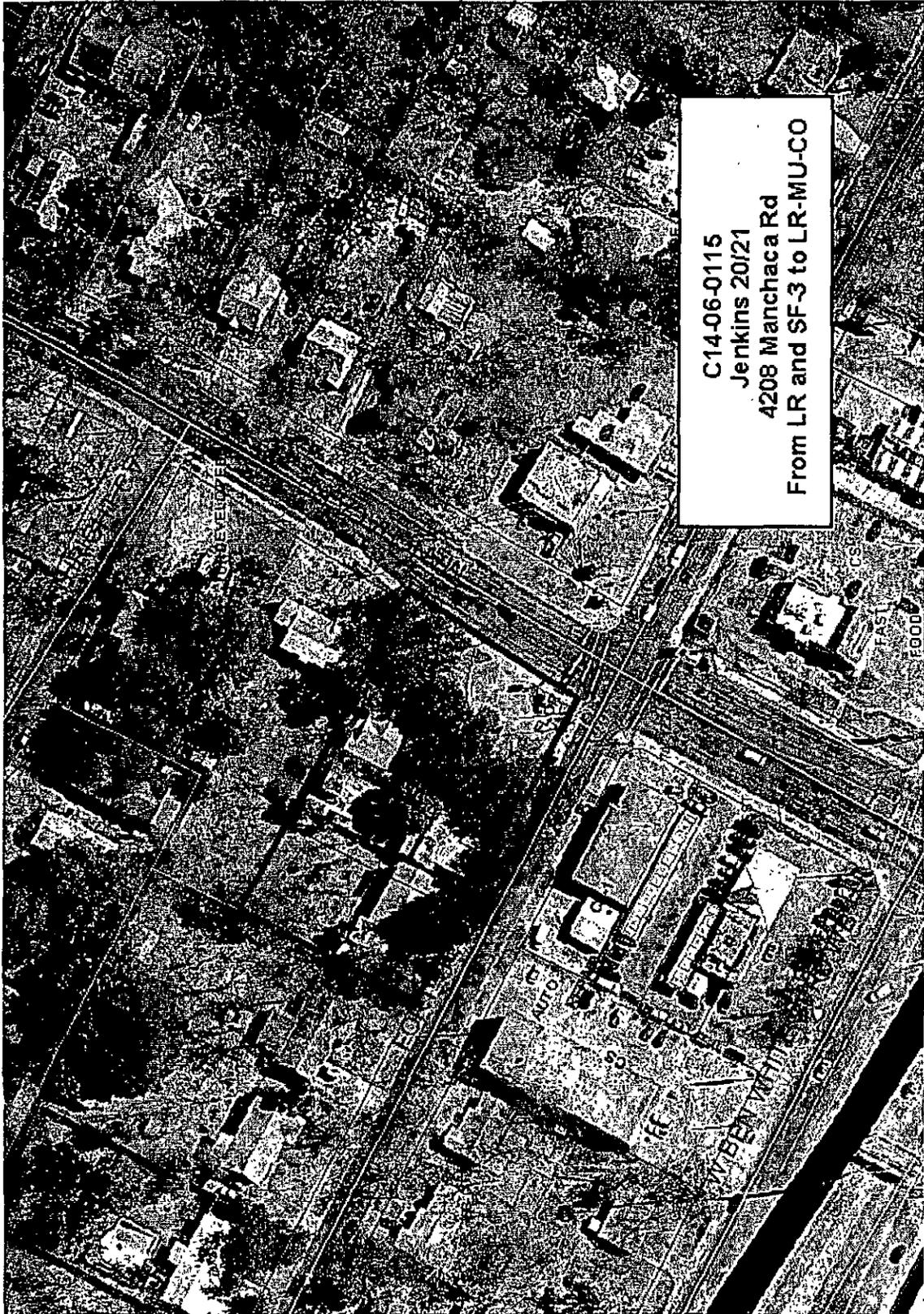
**PHONE:** 974-2330



SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: R.HEIL

**ZONING**  
 CASE #: C14-06-0115  
 ADDRESS: 4208 MANCHACA RD  
 SUBJECT AREA (acres): 0.895  
 DATE: 06-05  
 INTLS: SM

CITY GRID  
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 NUMBER  
 G19



C14-06-0115  
Jenkins 20/21  
4208 Manchaca Rd  
From LR and SF-3 to LR-MU-CO

**SUMMARY STAFF RECOMMENDATION**

**C14-05-0115**

Staff recommends approval of the request of neighborhood commercial-mixed used-conditional overlay (LR-MU-CO) combining district zoning. The conditional overlay would limit total vehicle trips to no more than 2000 per day.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

LR zoning is appropriate along Manchca Blvd, an arterial roadway, without being incompatible with the nearby residential uses.

2. *Zoning changes should promote and advance the policies of the City of Austin.*

The rezoning of the site to LR-MU would provide a additional opportunities for infill residential.

**Site Plan**

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure may be built within 15 feet of the property line.
- No structure within 15 feet and 30 feet or two stories may be constructed with 50 feet of the property line.
- No structure in excess of three stories or 40 feet or 3 stories in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 13 feet of the property line
- A landscape area at least 4 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

**Transportation**

The trip generation under the requested zoning is estimated to be 1,269 trips per day, No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 2,347 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

**Existing Street Characteristics:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike
Manchaca Road	70'	50'	Arterial	Yes	Yes	Priority 2
Fortview Road	54'	26'	Local	Yes	No	No

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site appears to be located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. A geological study of the watershed boundaries may be required in order to verify that this site does not actually lie in the Williamson Creek Watershed, which is classified as a Suburban watershed. The site lies in the Desired Development Zone.

Note - The following comments are based on this site being within the West Bouldin Creek Watershed, which is subject to verification.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.